

(C) that provides for loan amounts that have not been disbursed as of the date of enactment of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

(2) A closed loan agreement—

(A) authorized under section 3512 of the CARES Act (20 U.S.C. 1001 note); and

(B) made for the deferment of balances that have not been disbursed as of the date of enactment of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

SEC. 15008. REPORTS.

(a) DEPARTMENT OF EDUCATION REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this title, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the projects carried out with grant funds awarded under this title.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) with respect to projects carried out by eligible entities with grant funds awarded under this title, an assessment of—

- (i) the types of such projects;
- (ii) the square footage of the improvements made by such projects, disaggregated by—
 - (I) total square footage; and
 - (II) square footage per each eligible entity;
- (iii) the total cost of each such project;
- (iv) the cost described in clause (iii), disaggregated by the cost of—
 - (I) planning;
 - (II) design;
 - (III) construction;
 - (IV) site purchase; and
 - (V) improvements;

(v) the geographic distribution of such projects; and

(vi) the demographic composition of the student population served by such projects, disaggregated by—

- (I) race and ethnicity; and
- (II) the number and percentage of students enrolled at such entities who are eligible to receive a Federal Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.);

(B) an evaluation of a sample of grant recipients, selected by the Secretary taking into account size and geographic location of each grantee, to determine how such recipients are using the grant and the effectiveness of the activities carried out with the grant; and

(C) an analysis of compliance with the requirement in section 15003(c).

(b) COMPTROLLER GENERAL STUDY REPORT.—

(1) STUDY REQUIRED.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the implementation of the grant program under this title.

(2) ELEMENTS.—The study conducted under paragraph (1) shall include—

(A) an examination of program implementation challenges; and

(B) an assessment of whether any changes are needed to make grants under this title more accessible to eligible entities with fiscal challenges to help them raise capital for infrastructure projects.

(3) REPORT.—After the completion of the study under paragraph (1), the Comptroller General shall submit to the appropriate congressional committees a report on the results of the study, including any recommendations to the Secretary for improvements to the implementation of the grant program under this title.

SEC. 15009. DEFINITIONS.

In this title:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a part B institution, as such term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)); or

(B) a Historically Black Graduate Professional School identified in section 326(e) of such Act (20 U.S.C. 1063b(e)).

(2) SECRETARY.—The term “Secretary” means the Secretary of Education.

(3) STATE.—The term “State” has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

SEC. 15010. EFFECTIVE DATE.

This title shall take effect on the date of enactment of this Act.

SEC. 15011. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title for each of fiscal years 2022 through 2027.

SA 2517. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 40801 of division D and insert the following:

SEC. 40801. FOREST SERVICE LEGACY ROAD AND TRAIL REMEDIATION PROGRAM.

(a) ESTABLISHMENT.—Public Law 88-657 (16 U.S.C. 532 et seq.) (commonly known as the “Forest Roads and Trails Act”) is amended by adding at the end the following:

“SEC. 8. FOREST SERVICE LEGACY ROAD AND TRAIL REMEDIATION PROGRAM.

“(a) ESTABLISHMENT.—The Secretary shall establish the Forest Service Legacy Road and Trail Remediation Program (referred to in this section as the ‘Program’).

“(b) ACTIVITIES.—In carrying out the Program, the Secretary shall, taking into account foreseeable changes in weather and hydrology—

“(1) restore passages for fish and other aquatic species by—

“(A) improving, repairing, or replacing culverts and other infrastructure; and

“(B) removing barriers, as the Secretary determines appropriate, from the passages;

“(2) prepare previously closed National Forest System roads for long-term storage, in accordance with subsections (c)(1) and (d), in a manner that—

“(A) prevents motor vehicle use, as appropriate to conform to route designations;

“(B) prevents the roads from damaging adjacent resources, including aquatic and wildlife resources;

“(C) reduces or eliminates the need for road maintenance; and

“(D) preserves the roads for future use;

“(3) decommission previously closed National Forest System roads and trails in accordance with subsections (c)(1) and (d);

“(4) relocate National Forest System roads and trails—

“(A) to increase resilience to extreme weather events, flooding, and other natural disasters; and

“(B) to respond to changing resource conditions and public input;

“(5) convert National Forest System roads to National Forest System trails, while allowing for continued use for motorized and nonmotorized recreation, to the extent the

use is compatible with the management status of the road or trail;

“(6) decommission temporary roads—

“(A) that were constructed before the date of enactment of this section—

“(i) for emergency operations; or

“(ii) to facilitate a resource extraction project;

“(B) that were designated as a temporary road by the Secretary; and

“(C)(i) in violation of section 10(b) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1608(b)), on which vegetation cover has not been reestablished; or

“(ii) that have not been fully decommissioned; and

“(7) carry out projects on National Forest System roads, trails, and bridges to improve resilience to extreme weather events, flooding, or other natural disasters.

“(c) PROJECT SELECTION.—

“(1) PROJECT ELIGIBILITY.—

“(A) IN GENERAL.—The Secretary may only fund under the Program a project described in paragraph (2) or (3) of subsection (b) if the Secretary previously and separately—

“(i) solicited public comment for changing the management status of the applicable National Forest System road or trail—

“(I) to close the road or trail to access; and

“(II) to minimize impacts to natural resources; and

“(ii) has closed the road or trail to access as described in clause (i)(I).

“(B) REQUIREMENT.—Each project carried out under the Program shall be on a National Forest System road or trail, except with respect to a project carried out on a watershed for which the Secretary has entered into a cooperative agreement under section 323 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011a).

“(2) ANNUAL SELECTION OF PROJECTS FOR FUNDING.—The Secretary shall—

“(A) establish a process for annually selecting projects for funding under the Program, consistent with the requirements of this section;

“(B) solicit and consider public input regionally in the ranking of projects for funding under the Program;

“(C) give priority for funding under the Program to projects that would—

“(i) protect or improve water quality in public drinking water source areas;

“(ii) restore the habitat of a threatened, endangered, or sensitive fish or wildlife species; or

“(iii) maintain future access to the adjacent area for the public, contractors, permittees, or firefighters; and

“(D) publish on the website of the Forest Service—

“(i) the selection process established under subparagraph (A); and

“(ii) a list that includes a description and the proposed outcome of each project funded under the Program in each fiscal year.

“(d) IMPLEMENTATION.—In implementing the Program, the Secretary shall ensure that—

“(1) the system of roads and trails on the applicable unit of the National Forest System—

“(A) is adequate to meet any increasing demands for timber, recreation, and other uses;

“(B) provides for intensive use, protection, development, and management of the land under principles of multiple use and sustained yield of products and services;

“(C) does not damage, degrade, or impair adjacent resources, including aquatic and wildlife resources, to the extent practicable;

“(D) reflects long-term funding expectations; and

“(E) is adequate for supporting emergency operations, such as evacuation routes during wildfires, floods, and other natural disasters; and

“(2) all projects funded under the Program are consistent with any applicable forest plan or travel management plan.

“(e) SAVINGS CLAUSE.—A decision to fund a project under the Program shall not affect any determination made previously or to be made in the future by the Secretary with regard to road or trail closures.”

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture to carry out section 8 of Public Law 88-657 (commonly known as the “Forest Roads and Trails Act”) \$250,000,000 for the period of fiscal years 2022 through 2026.

SA 2518. Mr. CORNYN (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. 300 . URBANIZED AREAS.

(a) EXTENSION OF TREATMENT OF URBANIZED AREAS.—Section 21101 of division B of the Bipartisan Budget Act of 2018 (Public Law 115-123; 132 Stat. 103) is amended by striking “and 2020” and inserting “2020, 2021, and 2022”.

(b) CENSUS DISCRETION.—Section 5324 of title 49, United States Code (as amended by section 30011), is amended by adding at the end the following:

“(g) CENSUS DISCRETION.—

“(1) DEFINITIONS.—In this subsection:

“(A) DISASTER-RELATED POPULATION DECREASE.—The term ‘disaster-related population decrease’, with respect to an urbanized area, means that—

“(i) the population of the urbanized area decreases to be less than 50,000 individuals, as determined in a decennial census after the decennial census in which the area was designated as an urbanized area; and

“(ii) the decrease described in clause (i) is a result of a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

“(B) URBANIZED AREA.—The term ‘urbanized area’ means an area designated in a decennial census as an urbanized area by the Secretary of Commerce.

“(2) ELECTION.—On request by the Governor of a State in which an urbanized area that experiences a disaster-related population decrease is located, the Secretary may elect for the purposes of this chapter, including for purposes of making apportionments under this chapter, to continue to treat the area as an urbanized area with the same population and land area as the area had in the most recent decennial census in which it was designated as an urbanized area by the Secretary of Commerce.”

SA 2519. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CAS-

SIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 231, line 3, insert “, including how the decision of the State to continue to accept Federal Pandemic Unemployment Compensation under section 2104 of the CARES Act (15 U.S.C. 9023) has impacted the workforce” after “State”.

SA 2520. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2126, strike lines 5 through 12 and insert the following:

(1) \$10,000,000 for the award of grants under subsection (c)(3), which shall remain available until expended;

(2) for the award of grants under subsection (d)—

(A) \$50,000,000 for fiscal year 2022; and

(B) \$60,000,000 for each of fiscal years 2023 through 2026; and

On page 2143, line 6, strike “\$250,000,000” and insert “\$60,000,000”.

Beginning on page 2471, strike line 20 and all that follows through page 2473, line 9, and insert the following:

DIGITAL EQUITY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Digital Equity”, \$600,000,000, to remain available until expended, for competitive grants as authorized under sections 60304 and 60305 of division F of this Act: *Provided*, That of the amount provided under this heading in this Act—

(1) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2022, of which \$10,000,000 is for the award of grants under section 60304 (c)(3) of division F of this Act, \$50,000,000 is for the award of grants under section 60304(d) of division F of this Act, and \$60,000,000 is for the award of grants under section 60305 of division F of this Act;

(2) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2023, of which \$60,000,000 is for the award of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act;

(3) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2024, of which \$60,000,000 is for the award of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act;

(4) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2025, of which \$60,000,000 is for the award of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act; and

(5) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2026, of which \$60,000,000 is for the award

of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act:

SA 2521. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—A provision described in subsection (b), including an amendment made by such provision, shall not take effect until the head of the relevant Federal agency certifies that the provision and the amendments made by that provision would not increase the reliance of the United States on foreign nations for critical resources, including cobalt, copper, nickel, lithium, manganese, or graphite.

(b) PROVISIONS DESCRIBED.—The provisions referred to in subsection (a) are the following:

(1) Section 11109.

(2) Section 11129.

(3) Section 11401.

(4) Section 11403.

(5) Section 25005.

(6) Section 25006.

(7) Section 40107.

(8) Section 40112.

(9) Section 40207.

(10) Section 40431.

(11) Any appropriations made available under division J for electric vehicles or electric vehicle charging infrastructure.

SA 2522. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III of division D, add the following:

SEC. 403 . KEYSTONE XL AUTHORIZATION.

(a) AUTHORIZATION.—TransCanada Keystone Pipeline, L.P., may construct, connect, operate, and maintain the pipeline facilities at the international border of the United States and Canada at Phillips County, Montana, for the import of oil from Canada to the United States described in the Presidential Permit of March 29, 2019 (84 Fed. Reg. 13101).

(b) NO PRESIDENTIAL PERMIT REQUIRED.—No Presidential permit (or similar permit) under Executive Order 13867 (3 U.S.C. 301 note; relating to the issuance of permits with respect to facilities and land transportation crossings at the international boundaries of the United States), Executive Order 12038 (42 U.S.C. 7151 note; relating to the transfer of certain functions to the Secretary of Energy), Executive Order 10485 (15 U.S.C. 717b note; relating to the performance of functions respecting electric power and